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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
WANG, JIN CHENG

ART UNIT	PAPER NUMBER
2672	

DATE MAILED: 06/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/680,107	REID, GLENN
	Examiner	Art Unit
	Jin-Cheng Wang	2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Amendment

The amendment filed on 05/23/2003 has been entered. Claims 8 and 15 have been amended.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Gould et al. U.S. Pat. No. 6,501,476.

3. Claim 1:

The Gould reference teaches a method of manipulating a presentation of a time based stream of information in a processing system (see the abstract; figures 1 and 3), the method comprising:

A) Adding an edit feature (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22) to the presentation to create a revised presentation in response to a user edit command (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22), and

B) Creating a proxy of the revised presentation and displaying the proxy during the adding (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22; column 9, lines 38-67; column 10, lines 1-65).

Claim 2:

The claim 2 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of displaying units of the presentation in response to the user edit command and sending instructions for creating the proxy when a unit requiring modification is reached. However, the Gould reference further discloses the claimed limitation of displaying units of the presentation in response to the user edit command (figures 3 and 14) and sending instructions for creating the proxy when a unit requiring modification is reached (column 5, lines 43-67; column 6, lines 1-22).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of creating proxy by drawing an imitation of the edit feature. However, the Gould reference further discloses the claimed limitation of creating proxy by drawing an imitation of the edit feature (e.g., figures 3 and 14; column 7, lines 57-67; column 8, lines 1-35).

Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of the edit feature being text and the imitation including simulated character, size and font. However, the Gould reference further discloses the claimed limitation of the edit feature being text and the imitation including simulated

character, size and font (e.g., the parameter plug-ins and meta data in the meta database; column 10, lines 5-27).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy. However, the Gould reference further discloses the claimed limitation of a first software component having instructions for adding the edit feature (through the graph editor or an effect user interface UI 320; column 3, lines 40-49; column 5, lines 15-67; column 6, lines 1-22; column 9, lines 10-18) and the first software component (e.g., COM components; column 3, lines 50-67) being separate from a second software component (e.g., DLLs; column 11, lines 19-36) that has instructions for creating the proxy (e.g., column 3, lines 21-65).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the second software unit being a plug-in or ActiveX control. However, the Gould reference further discloses the claimed limitation of the second software unit being a plug-in or ActiveX control (column 3, lines 21-65; column 11, lines 19-36).

Claim 7:

The claim 7 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information. However, the Gould reference

further discloses the claimed limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information (column 1, lines 24-34, and column 2, lines 7-14).

4. Claim 8:

The Gould reference teaches a digital processing system comprising:

A) A capture port for acquiring a time-based stream of information (figure 1; column 5, lines 13-23);

B) A storage (figure 1; column 3, lines 1-18);

C) A display (figure 1; column 3, lines 1-18); and

D) A processor (figure 1; column 3, lines 1-18) for:

i) Adding an edit feature (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22) to the presentation to create a revised presentation in response to a user edit command (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22), and

ii) Creating a proxy of the revised presentation and displaying the proxy during the adding (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22; column 9, lines 38-67; column 10, lines 1-65).

Claims 9-14:

The claims 9-14 encompass the same scope of invention as that of claims 2-7. The claims are subject to the same reasoning as given in claims 2-7.

5. Claim 15:

The Gould reference teaches a processing system for generating a presentation of a time-based stream of information (figures 1 and 3) comprising:

A) Means for adding an edit feature (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22) to the presentation to create a revised presentation in response to a user edit command (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22), and

B) Means for creating a proxy of the revised presentation during the adding (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22; column 9, lines 38-67; column 10, lines 1-65); and

C) Means for displaying the proxy during the adding (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22; column 9, lines 38-67; column 10, lines 1-65).

Claims 16-20:

The claims 16-20 encompass the same scope of invention as that of claims 2-4 and 6-7. The claims are subject to the same reasoning as given in claims 2-4 and 6-7.

6. Claim 22:

The Gould reference teaches a computer readable medium (column 3, lines 1-65) having stored therein a plurality of sequences of executable instructions (column 3, lines 22-65), which when executed by a processing system (figure 1) for collecting a time based stream of information (abstract) and generating a presentation, cause the processor to:

A) Add an edit feature (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22) to the presentation to create a revised

presentation in response to a user edit command (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22);

B) Create a proxy of the revised presentation during the adding (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22; column 9, lines 38-67; column 10, lines 1-65); and

C) Display the proxy during the adding (figure 3; column 3, lines 40-49;column 4, lines 19-44; column 5, lines 61-67; column 6, lines 1-22; column 9, lines 38-67; column 10, lines 1-65).

Claims 22-26:

The claims 22-26 encompass the same scope of invention as that of claims 2-7. The claims are subject to the same reasoning as given in claims 2-7.

Remarks

7. Applicant's arguments, filed 05/12/2003, paper number 5, have been fully considered but they are not deemed to be persuasive.

8. Applicant argues in essence with respect to claim 1 and similar claims that:

> "...Therefore, the proxy effects as taught by Gould assist the effects processing of the software to reduce the amount of necessary processing, rather than the proxy as taught by claim 1, which is created in response to a user command and displayed during the adding of an edit feature...The claims include a limitation of adding an edit feature to the presentation, where a proxy is created during the adding...Therefore, it cannot be said that the proxy effect as taught by Gould is displayed, as in many of the pending claims. Therefore, Gould does to

teach where a proxy is created and displayed during the adding, and Gould does not anticipate claim 1."

This is not found persuasive for the reasons given below.

In response to the Applicant's arguments, the examiner asserts that Gould teaches the claimed limitation of adding an edit feature to the presentation to create a revised presentation in response to a user edit command, and creating a proxy of the revised presentation and displaying the proxy during the adding.

In column 3, lines 35-50 of Gould, it is stated "Furthermore, the arrangement allows a reduced subset of the apparatus to be supplied or installed, containing just a graph editor and the core processing but without the plug-ins. The system also allows third parties or users to produce their own plug-ins, so long as they stick to a defined interface protocol between the plug-ins and the core framework. So, a user could produce a bespoke effect very simply by writing a relatively small plug-in programme."

In column 8, lines 64-67 and column 9, lines 1-18 of Gould, it is stated "The plug-ins are implemented under the Windows operating system as 'dynamic load libraries' (DLLs). DLLs are generally large files which can contain program code, data and subroutine libraries...in the present embodiment, the DLL for that effect is not loaded at that stage. Instead, so called 'metadata' 1000 representing that effect is loaded. The metadata provides the core with information defining the interconnectivity of the effect with other effects (e.g. number of inputs and outputs). This enables the core to build up a graph without the need to load any DLLs, so saving memory by not loading large files until they are absolutely needed."

In column 4, lines 19-27 of Gould, it is stated "Within the core processor 340 is a 'graph' – in fact a 'directed acyclic graph' having a linked series of individual special effects. Each effect is represented in the graph as a proxy effect (PE) having an associated cache (C) for storing the effect's output as soon as it becomes available, thereby allowing re-use of data from effects in a chain of effects if, for example, a parameter associated with an effect higher in the chain is changed. Each proxy effect is associated with a respective effects server 330."

In addition to loading an initial set of plug-ins, Gould's apparatus also allows users to produce (which meets the claim language of "create") their own plug-ins and a bespoke effect (a proxy effect) can be produced very simply by writing a relatively small plug-in programme. This teaching of Gould meets the claim limitation of adding an edit feature (such as a new plug-in) to the presentation to create a revised presentation in response to a user edit command (through a graph editor). Gould also teaches creating a proxy effect by dragging the linked group of effects to create a new, composite, effect icon 810 (column 7, lines 66-67, column 8, lines 1-35) and displaying the effect icon (proxy effect) in its compressed form as a single icon (column 8, lines 10-15).

Gould further teaches creating links between effects by the graph editor, editing the meta data through the meta database, setting control parameters for each parameter plug-in using the main effect's viewer window, providing proxy effect for the 'main' effect server for each of the parameter plug-in, storing the output of particular effects before and after a parameter change (columns 9 and 10). This shows that Gould teaches the claimed limitation of adding an edit feature (through editing the variable control parameter or editing the meta data wherein the metadata is associated with a plug-in) to

the presentation to create a revised presentation (a new rendered output) in response to a user edit command (through the graph editor), and creating a proxy of the revised presentation and displaying the proxy (e.g., the rendered output displayed on open viewer window) during the adding (during the adding/creating/linking of the proxy effects. See figure 3).

Finally, Gould further teaches a software technique for creating proxy effect wherein "a software designer can implement different sections of a computer programme as so-called "COM objects" (See for example, column 3, lines 54-65) and "the core framework communicates with the plug-ins via these COM interfaces". This facilitates the editing of edit features (such as editing program codes through the graph editor, editing the variable control parameters, editing the meta data through the meta database), creating and displaying of proxy effects. Therefore, Gould fulfills claim 1 and similar claims as currently drafted.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
June 23, 2003

MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600